

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24511 OF 2005

DATED:17.11.2005

Between:

The Narsaraopeta Harijan Labour Contract

Cooperative Society Limited (Registered No.Z-763)

28<sup>th</sup> Ward, Narsaraopeta, Guntur District

rep. by its President, B.Punnaiah

S/o.Yessaiah

and others

...Petitioners

And

Narsaraopeta Municipality, rep. by its

Commissioner, Narsaraopet, Guntur District

...Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24511 OF 2005

ORDER:

The five petitioners are Harijan and Vaddera Cooperative Labour Contract Societies registered under A.P. Cooperative Societies Act, 1964. When the sole respondent issued tender notice dt.7.11.2005 inviting tenders from eligible civil contractors for taking up certain works in the municipality, they approached the respondent to issue tender schedules free of cost, and accept tender schedules without insisting upon the requisite earnest money deposit (EMD). Their request was not conceded to. Therefore, they filed the present Writ Petition seeking appropriate directions.

The Government of Andhra Pradesh issued G.O.Ms.No.52, dt.18.3.2000 *inter alia* directing that the Labour Contract Cooperative Societies of Scheduled Castes,

Scheduled Tribes and Vaddera be exempted from payment of EMD to works costing upto an amount of Rs.20,00,000/- (Rupees twenty lakhs only). The legal position is not disputed by the learned Standing Counsel for the respondent Municipality. Therefore, the respondent cannot insist upon payment of EMD. Insofar as issue of tender schedules free of cost is concerned, the respondent shall look into the Government Orders in G.O.Ms.No.52, dt.18.3.2000, and issue tender schedules to the petitioners accordingly.

The Writ Petition with the above observations and directions is accordingly disposed of.

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(V.V.S.RAO, J)

17.11.2005

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*Note:Operative portion of the order*

*may be communicated by WIRE*

*at party's cost.*

(B.O)

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